

REMARKS

The specification was objected to in several places because Applicants had inconsistently used the terms "variance" and "mean." In particular, Applicants were not consistent in identifying whether the variance or mean applied to an entire test signal or training signal, or to the noise portion of the test signal or training signal, or to a segment of the noise in the test signal or training signal. With the above amendments, Applicants have attempted to more clearly indicate which variances and means are being referred to in the specification. Applicants appreciate the Examiner's detailed review of the application to find these inconsistencies. If there are further inconsistencies that the Examiner identifies, Applicants would appreciate a telephone call so that these inconsistencies can be corrected through an Examiner's Amendment.

Claims 15, 18, 19, 20, and 27 were rejected for similar reasons as the specification. In the amendments to the claims above, Applicants have included further wording to more clearly indicate which portion of the test signal and training signal the variance and means refer to.

Independent claim 1 was rejected under 35 U.S.C. § 112 as being indefinite because it referred to a plurality of steps but only included a single step. In addition, the phrase "as part of the production of the matched test signal and matched training signal" is said to be unclear and/or logically conflict with the phrase "adding to the strength ... in one of the test signal or training signal." With the present amendment, these errors in claim 1 have been corrected.

In the Office Action, dependent claim 7 was indicated as being allowable if rewritten in independent form and if rewritten to fix all of the 35 U.S.C. § 112 problems associated

with claim 1. With the present amendment, claim 1 has been amended to include the limitations of claim 7 and to correct the §112 problems. In particular, by adding the steps of claim 7 to claim 1, there are now multiple steps associated with generating a matched test signal and matched training signal. In addition, the phrase "as part of the production of the matched test signal and matched training signal" has been deleted to remove its inconsistency with other portions of the claim. Note that claim 7 included a similar phrase, and this phrase has been deleted from the limitations added to claim 1 from claim 7.

Since the Office Action indicated that claim 7 would be allowable if rewritten in independent form, amended claim 1 and claims 2-6 and 8-14, which depend therefrom, are patentable over the cited references and are in form for allowance.

The Office Action also indicated that claim 5 would be allowable if rewritten in independent form and if rewritten to overcome the §112 rejections. With the present amendment, new claim 30 has been added which represents claim 5 rewritten in independent form and rewritten to overcome the §112 rejections of claim 1. In particular, in new claim 30, the problem of having multiple steps in the generating step has been cured by referring to a single step instead of multiple steps and the limitation of claim 5 has been placed in the generating step of claim 1 to form claim 30. In addition, the phrase "as part of the production of the matched test signal and matched training signal" has been removed and is not present in new claim 30. As such, claim 30 represents claim 5 rewritten in independent form and rewritten to overcome the §112 rejections of claim 1. As such, claim 30 is in form for allowance.

The Office Action indicated that claim 16 would be allowable if rewritten in independent form and if rewritten to overcome the rejections of claim 15 under 35 U.S.C. § 112. With the present amendment, claim 15 has been amended to include the

limitations of claim 16 and to overcome the §112 rejections. Claim 15 and claims 17-19, which depend therefrom, are thus now in form for allowance. Since claim 16 has been placed in claim 15, claim 16 has been cancelled.

The Office Action also indicated that claim 18 would be allowable if rewritten in independent form and if rewritten to overcome §112 rejections of claim 15 and claim 18. With the present amendment, new claim 31 has been added which represents claim 18 rewritten in independent form and rewritten to overcome the §112 rejections of claims 15 and 18. As such, claim 31 is in form for allowance.

The Office Action indicated that claim 20 would also be allowable if rewritten in independent form and if rewritten to overcome the §112 rejections of claims 15 and 20. With the present amendment, new claim 32 has been added which represents claim 20 rewritten in independent form and rewritten to overcome the §112 rejections. As such, claim 32 is in form for allowance.

The Office Action also indicated that claim 23 would be allowable if rewritten in independent form. With the present amendment, claim 23 has been cancelled and its limitations have been placed in independent claim 21. Thus, independent claim 21 represents claim 23 rewritten in independent form. As such, claim 21 and claims 22 and 24-28, which depend therefrom, are in form for allowance.

Dependent claim 27 was rejected under 35 U.S.C. § 112 because it was not clear which portion of the signals the word "variance" was referring to. With the present amendment, claim 27 has been amended to more clearly indicate that the variance is the variance of the noise of the test speech signal and the noise of the training speech signal. As such, claim 27 is now in form for allowance.

With the above amendments, each of the pending independent claims represents a claim that was objected to in the

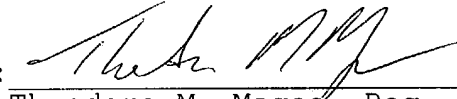
Office Action but that was indicated as being allowable if rewritten in independent form. The remaining claims that do not depend from an allowable claim have been cancelled. As such, all of the claims remaining in the application are in form for allowance. Should the Examiner find other errors that need correction, Applicants request an Examiner Interview so that those errors may be corrected through an Examiner's Amendment.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By:



Theodore M. Magee, Reg. No. 39,758
Suite 1600 - International Centre
900 Second Avenue South
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222 Fax: (612) 334-3312

TMM:sew